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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,229	12/12/2005	Hiroyuki Kikkoji	277541US6PCT	4980
22850	7590	06/12/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LEE, JOHN J	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 06/12/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/560,229	<b>Applicant(s)</b> KIKKOJI ET AL.	
	<b>Examiner</b> JOHN J. LEE	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,9,10 and 13 is/are rejected.
- 7) ☒ Claim(s) 2,3,7,8,11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/26/2006</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 4-6, 9, 10, and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohishi (US 6,487,720) in view of Anttila et al. (US 2004/0198279).

Regarding **claims 1, 6, and 13**, Ohishi teaches reproduction apparatus (Fig. 6).

Ohishi teaches that broadcast signal receiving means for receiving a broadcast signal of a specific frequency (column 6, lines 28 – column 7, lines 42 and Fig. 6). Ohishi teaches that broadcast signal reproduction means for reproducing the broadcast signal received by said broadcast signal receiving means (column 6, lines 28 – column 7, lines 42 and Fig. 6). Ohishi teaches that request information (desired broadcast information) transmitting means for transmitting request information for requesting associated information of a broadcast station (Fig. 6) which is different from the broadcast station (different broadcast signal sender or provider, server, but Figs not shown) being reproduced by said broadcast signal reproduction means (column 7, lines 8 – column 8, lines 67 and Fig. 6). Ohishi teaches that associated information receiving (desired program information receiving) means for receiving the associated information corresponding to said request information (column 7, lines 8 – column 8, lines 67 and Fig. 6). Ohishi teaches that associated information display means for displaying the associated information received

by said associated information receiving means (column 14, lines 32 – 65, Fig. 1, 6, and column 1, lines 33 – column 2, lines 2).

Ohishi does not specifically disclose the limitation “requesting associated information of a broadcast station which is different from the broadcast station”. However, Anttila teaches the limitation “requesting associated information of a broadcast station (receiver requests the broadcast information from broadcast stations and receives the information from them) which is different from the broadcast station (18 or 14)”. (Fig. 1 and pages 2, paragraphs 34 - pages 3, paragraphs 38). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Ohishi’s system as taught by Anttila, provide the motivation to achieve variety selecting and requesting the broadcast information for receiving user’s desired broadcast information in broadcast communication system.

Regarding **claims 4 and 9**, Ohishi and Anttila teach all the limitation as discussed in claim 1. However, Ohishi does not specifically disclose the limitation “a plurality of said request information including pre-stored call signs of a plurality of the broadcast stations are transmitted at a certain interval of time, and each associated information is received”. However, Anttila teaches the limitation “a plurality of said request information including pre-stored call signs of a plurality of the broadcast stations are transmitted at a certain interval of time, and each associated information is received”. (Fig. 1, 13 and pages 6, paragraphs 56 - 59). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Ohishi’s system as taught by Anttila, provide the motivation to achieve an efficient controlling

transmission and reception of desired broadcast signals from a plurality of broadcast stations in broadcast communication system.

Regarding **claims 5 and 10**, Ohishi and Anttila teach all the limitation as discussed in claim 1. Furthermore, Ohishi further teaches that associated information display means displays indication of whether or not displaying the associated information of the broadcast station from which the broadcast signal is being received (column 14, lines 32 – 65, Fig. 1, 6, and column 1, lines 33 – column 2, lines 2).

***Allowable Subject Matter***

3. Claims 2, 3, 7, 8, 11, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fails to disclose the limitation “a broadcast station name, a frequency and a call sign are pre-stored in association with one another, the broadcast signal of the frequency of the broadcast station selected by a first operation is received, the broadcast signal is reproduced, said request information including the call sign of the broadcast station selected by said first operation is transmitted, the associated information is received, the associated information is displayed, said request information including the call sign of the broadcast station selected by a second operation is transmitted, the associated information is received, and a display is changed, and a reception frequency is switched by a third operation” as specified the claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Costello et al. (US 2002/0184038) discloses Broadcast Program Capture and Playback Enhancement Signal Structure, Receiver, and Method.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Or P.O. Box 1450  
Alexandria VA 22313

or faxed (571) 273-8300, (for formal communications intended for entry)

Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters, Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Maung**, can be reached on **(571) 272-7882**. Any inquiry of a general nature or relating to

the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L  
June 6, 2008

John J Lee

/JOHN J LEE/  
Examiner, Art Unit 2618